

**RESOLUTION NO. 74879**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF ENVIRONMENTAL SERVICES TO EXERCISE THE OPTION TO EXTEND THE TERM OF THE CONTRACT WITH ANDERSON PACIFIC ENGINEERING CONSTRUCTION, INC. FOR THE SAN JOSE/SANTA CLARA WATER POLLUTION CONTROL PLANT FOR NEW CONSTRUCTION OF VARIOUS EQUIPMENT, FISCAL YEAR 2008-2009, FOR TWO ADDITIONAL ONE-YEAR TERMS IN AN AMOUNT NOT TO EXCEED \$500,000 PER OPTION YEAR, SUBJECT TO APPROPRIATION**

**WHEREAS**, the San José/Santa Clara Water Pollution Control Plan ("Plant") has extensive infrastructure which is comprised of a complex piping system which carries wastewater, chemicals, air, natural gas and digested gas, and equipment which includes engines, generators, valves, and pumps, and throughout any given year, it is necessary to conduct emergency and scheduled installation, replacement, repairs, and modifications to the infrastructure; and

**WHEREAS**, due to the increasing frequency of the construction work necessary to the infrastructure at the Plant, together with the time demands to bid and process individual contracts, the City of San José ("City") has determined it is beneficial to consolidate the work into one annual contract to provide construction services on an as-needed basis; and

**WHEREAS**, the City requested competitive bids from contractors setting forth the estimated quantities of specific labor, material, and equipment anticipated to be used for various construction projects at the Plant and the unit costs, which were then multiplied to obtain the total bid price; and

**WHEREAS**, after review of the four competitive bids received by the City, it was determined that Anderson Pacific Engineering Construction, Inc. had the low bid of \$450,930, and will enter into an initial one-year contract with the City with the right to extend the term for two

additional one-year option periods at the option of the City, based upon the same conditions as the initial term in an amount not to exceed \$500,000 per option year, subject to the appropriation of funds;

**NOW, THEREFORE,** BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The Director of Environmental Services is authorized to exercise the option to extend the term of the contract with Anderson Pacific Engineering Construction Inc. for the San José/Santa Clara Water Pollution Control Plant for new construction of various equipment, fiscal year 2008-2009, for two additional one-year terms in an amount not to exceed \$500,000 per option year, subject to appropriation.

ADOPTED this 21<sup>st</sup> day of April, 2009, by the following vote:

AYES: CAMPOS, CHU, CONSTANT, HERRERA, KALRA,  
LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: CHIRCO.

DISQUALIFIED: NONE.

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk